

**SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT**

258174

DATE OF REPORT (DAY-MO.-YEAR)

09 Feb 2000

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION ☐ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☒ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM- INVESTIGATOR'S NAME Denise DRAPER-SIBLEY		RANK PA	STAR NO. 10819	SOCIAL SEC. NO. [REDACTED]	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 121
ADDRESS OF INCIDENT 4306 S. LaPorte		DATE OF INCIDENT - TIME 23 November 99/0630hrs		BEAT OF INCIDENT 814	LOCATION CODE* 19	
NAME 1. Richard SCOTT		RANK Sgt	STAR NO. 2178	SOCIAL SEC. NO. [REDACTED]	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 008
2. Andrew COSTELLO		PO	19013	[REDACTED]	[REDACTED]	008
ACCUSED	SEX/RACE	D.O.B.	DATE OF APPOINTMENT		DUTY STATUS (TIME OF INCIDENT)	
	1. m/w	[REDACTED] 57	16 Jun 86		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY	
					<input type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	
	2. m/w	[REDACTED] 71	04 Dec 95		<input type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY	
					<input type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	
1. NONE		CHARGES		COURT BRANCH	DISPOSITION & DATE	
2. NONE						
COMPLAINANTS	NAME	ADDRESS**		CITY STATE	TELEPHONE	SEX/RACE
	[REDACTED]	[REDACTED]		Chicago, Ill.	[REDACTED]	f/b
VICTIMS	NAME	ADDRESS**		CITY STATE	TELEPHONE	SEX/RACE
	NONE					
WITNESSES	NAME	ADDRESS**		CITY STATE	TELEPHONE	SEX/RACE
	PO Robert WOODS #15143, emp# [REDACTED], ss# [REDACTED], 153,	[REDACTED]		[REDACTED]	pax/4 [REDACTED]	m/b

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

This complaint was initially received by Investigator Lydia CONLISK # [REDACTED], Unit 113 on 23 November 1999. At approximately 0650 hours Investigator CONLISK registered this complaint with the Office Of Professional Standards.

(refer to page i for allegations)

I.A.D. LOCATION CODES*

01 Food Sales/Restaurant	11 Public Transportation Veh./Facility
02 Tavern/Liquor Store	12 Park District Property
03 Other Business Establishment	13 Airport
04 Police Building	14 Public Property - Other
05 Lockup Facility	15 Other Private Premise
06 Police Maintenance Facility	16 Expressway/Interstate System
07 CPD Automotive Pound Facility	17 Public Way - Other
08 Other Police Property	18 Waterway, Incl. Park District
09 Police Communications System	19 Private Residence
10 Court Room	

I.A.D. PHYSICAL CONDITION CODES†

01 No Visible Injury - Apparently Normal
02 No Visible Injury - Under Influence
03 Injured, Not Hospitalized
04 Injured, Not Hospitalized - Under Influence
05 Injured, Hospitalized
06 Injured, Hospitalized - Under Influence
07 Injured, Refused Medical Aid
08 Injured, Refused Medical Aid - Under Influence
09 Deceased
10 Deceased - Under Influence

* IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

SUMMARY

(refer to page iii)

ATTACH-
MENTS

INVESTIGATIVE REPORTS— SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS— SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
3	4 - 16	0	16

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.

Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

FINDINGS—RECOMMENDATIONS

(refer to page iv)

REVIEWED BY [REDACTED]

MAY 4 2000

DATE INITIATED 23 Nov 99
(DATE COMPLAINT WAS
RECEIVED FOR INVESTIGATION)

DATE COMPLETED 09 Feb 00
(DATE OF THIS
REPORT)

ELAPSED TIME 78 days
(TOTAL TIME,
EXPRESSED IN DAYS)

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE [REDACTED]

7/10819

IF NECESSARY, USE AN 8 1/2" x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM

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ADDITIONAL ACCUSED:

3. Officer Brian FORBERG #18761, Unit 008, Emp# [REDACTED]
SS# [REDACTED], m/w, doa-10 Jul 95, dob-[REDACTED] 60.
4. Officer Darlene WUJCK #18716, Unit 008, Emp# [REDACTED]
SS# [REDACTED], f/w, doa-05 Dec 90, dob-[REDACTED] 60.
5. Officer Kevin EBERLE #6845, Unit 008, Emp# [REDACTED]
SS# [REDACTED], m/w, doa- 05 Jul 94, dob-[REDACTED] 94.
6. Officer Kevin MUTH #17616, Unit 008, Emp# [REDACTED]
SS# [REDACTED], m/w, doa-02 May 94, dob-[REDACTED] 65.
7. Officer Carl GRAY #7597, Unit 008, Emp# [REDACTED]
SS# [REDACTED], m/w, doa-01 Jul 91, dob-[REDACTED] 71.
8. Gang Specialist Robert MONTGOMERY #60021, Unit 156,
Emp# [REDACTED], SS# [REDACTED], m/b, doa-18 Oct 76,
dob [REDACTED] 50.
9. Gang Specialist Terrence JOHNSON #60084, Unit 156,
Emp# [REDACTED], SS# [REDACTED], m/b, doa-02 Jan 91,
dob [REDACTED] 65.

1.

ALLEGATIONS:

1. It is alleged by [REDACTED] that on 23 November 1999, at approximately 0630 hours, several officers while at [REDACTED]: (1) kicked in her apartment door, (2) searched her apartment without a warrant or permission, (3) failed to identify themselves upon [REDACTED]'s request, (4) verbally abused [REDACTED] by stating to her, "Shut the fuck-up and sit down."

EVIDENCE:

Attachments:

1. Complaint Against Department Member.
2. Requests for reassignment of Complaint Register 259174 and related documents.
3. Report of Police Agent DRAPER-SIBLEY Unit 121. Interview of [REDACTED], dated 27 December 1999.
4. Copies of documentation from Organized Crime Division Gang investigation Section and related documents dated 18 November 1999.

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2.

EVIDENCE: (continued)

Attachments:

5. Copy of criminal warrant for [REDACTED] and related documentation dated 22 November 1999.
6. Monthly Progress Report dated 03 January 2000.
7. Witness report of Officer Robert WOODS dated 10 January 2000.
8. Notification of Charges/Allegations and related report of Sergeant Richard SCOTT dated 10 January 2000.
9. Notification of Charges/Allegations and related report of Officer Andrew COSTELLO dated 06 January 2000.
10. Notification of Charges/Allegations and related report of Officer Brian FORBERG dated 06 January 2000.
11. Notification of Charges/Allegations and related report of Officer Darlene WUJCK dated 06 January 2000.
12. Notification of Charges/Allegations and related report of Officer Kevin EBERLE dated 10 January 2000.
13. Notification of Charges/Allegations and related report of Officer Kevin MUTH dated 10 January 2000.
14. Notification of Charges/Allegations and related report of Officer Carl GRAY dated 10 January 2000.
15. Notification of Charges/Allegations and related report of Gang Specialist Robert MONTGOMERY dated 10 January 2000.
16. Notification of Charges/Allegations and related report of Gang Specialist Terrence JOHNSON dated 07 February 2000.

(ii)

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3. INVESTIGATION

The complainant, [REDACTED] has alleged that on 23 November 1999, while conducting a sweep, in her housing complex six officers kicked in her door and searched her apartment ([REDACTED]) without her permission or a warrant. [REDACTED] further alleged that the officers failed to identify themselves upon her request and verbally abused her.

Pursuant to [REDACTED]'S allegations, Department documents were obtained. Subsequently, Sergeant Richard SCOTT, Officers Andrew COSTELLO, Brian FORBERG, Darlene WUJCK, Kevin EBERLE, Kevin MUTH, Carl GRAY, Specialist Robert MONTGOMERY, Terrence JOHNSON, were identified as accused members with Officer Robert WOODS identified as a witness.

As such, Officer Robert WOODS submitted his witness report in which he related that he was not involved in the aforementioned incident on 23 November 1999, as he was in Area 1. Subsequently, the accused members upon being presented with their Notification of Allegations/Charges submitted their reports in which they essentially reiterated the same events, that while they attempted to apprehend offenders for whom arrest warrants were issued during "Operation Guillotine" they did forcibly enter [REDACTED] in search of a wanted offender which they reasonably believed was at that location.

Additionally, all accused members denied that they failed to identify themselves and indicated that they repeatedly announced their office during this incident. Furthermore, all members denied that they verbally abused [REDACTED].

Investigation has determined, that [REDACTED] alleged that on 23 November 1999, the aforementioned Department members entered her apartment without permission or a search warrant. It is further alleged that the accused members failed to identify themselves and verbally abused [REDACTED]. As noted, in addressing allegations 1 & 2, the accused members have acknowledged that they did use force to enter [REDACTED]'S residence, with a warrant to search for that individual. In regards to allegations 3 & 4, these allegations are denied by the accused members.

4.	FINDING:
ACCUSED: #1	Sergeant Richard SCOTT #2178
Allegation #1	Exonerated
Allegation #2	Exonerated
Allegation #3	Unfounded
Allegation #4	Unfounded
ACCUSED: #2	Police Officer Andrew COSTELLO #19013
Allegation #1	Unfounded
Allegation #2	Exonerated
Allegation #3	Unfounded
Allegation #4	Unfounded
ACCUSED: #3	Police Officer Brian FORBERG #18761
Allegation #1	Unfounded
Allegation #2	Exonerated
Allegation #3	Unfounded
Allegation #4	Unfounded

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4.

FINDING: (continued)

ACCUSED: #4	Police Officer Darlene WUJCK #18716
Allegation #1	Unfounded
Allegation #2	Exonerated
Allegation #3	Unfounded
Allegation #4	Unfounded
ACCUSED: #5	Police Officer Kevin EBERLE #6845
Allegation #1	Exonerated
Allegation #2	Exonerated
Allegation #3	Unfounded
Allegation #4	Unfounded
ACCUSED: #6	Gang Specialist Robert MONTGOMERY #60021
Allegation #1	Unfounded
Allegation #2	Exonerated
Allegation #3	Unfounded
Allegation #4	Unfounded
ACCUSED: #7	Gang Specialist Terrence JOHNSON #60084
Allegation #1	Unfounded
Allegation #2	Exonerated
Allegation #3	Unfounded
Allegation #4	Unfounded
ACCUSED: #8	Police Officer Kevin MUTH #17616
Allegation #1	Exonerated
Allegation #2	Exonerated
Allegation #3	Unfounded
Allegation #4	Unfounded
ACCUSED: #9	Police Officer Carl GRAY #7597
Allegation #1	Exonerated
Allegation #2	Exonerated
Allegation #3	Unfounded
Allegation #4	Unfounded

5.

RECOMMENDATION:

In regards to all accused members, no disciplinary action warranted, case to be filed.